

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE HERALD, PRIMEO and THEMA FUNDS  
SECURITIES LITIGATION

This Document Relates to No. 09 Civ. 2032 (RMB)

09 Civ. 0289 (RMB)

ECF Case

**MOTION FOR WITHDRAWAL OF APPEARANCE  
AS COUNSEL OF RECORD AND [PROPOSED] ORDER**

PLEASE TAKE NOTICE that, pursuant to Local Rule 1.4, David Elbaum respectfully moves to withdraw his appearance as counsel of record for Defendant Nigel H. Fielding. Mr. Elbaum is leaving Brune & Richard LLP to accept a position at a different firm. Brune & Richard LLP will continue to act as counsel for Defendant Fielding.

Dated: May 29, 2014  
New York, New York

Respectfully submitted,

By: /s/ David Elbaum

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So Ordered:

Hon. Richard A. Berman, U.S.D.J.